

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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MAJORITY STRATEGIES, LLC.,

Index No.: 652785/2023

Plaintiff,

-against-

AUSTIN C. SMITH and SMITH LAW GROUP, LLP,

Defendants.  
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**NOTICE**  
**OF ENTRY OF**  
**ORDER**

**PLEASE TAKE NOTICE** that the within is a true copy of an Order of Honorable Louis L. Nock, dated August 23, 2023, and duly entered in the Office of the Clerk of the within name Court on August 25, 2023.

Dated: August 25, 2023  
New York, New York

Respectfully submitted,

DERREVERE STEVENS BLACK & COZAD



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Austin C. Smith, Esq. via email [austin@acsmithlawgroup.com](mailto:austin@acsmithlawgroup.com)

SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY

PRESENT: <u>HON. LOUIS L. NOCK</u>	PART	38M
<div>Justice</div> <div>-----X</div>	INDEX NO.	<u>652785/2023</u>
MAJORITY STRATEGIES, LLC,	MOTION DATE	<u>08/03/2023</u>
Plaintiff,	MOTION SEQ. NO.	<u>001</u>
- v -		
AUSTIN C SMITH, SMITH LAW GROUP, LLP	DECISION + ORDER ON	
Defendant.	MOTION	
<div>-----X</div>		

The following e-filed documents, listed by NYSCEF document number (Motion 001) 8, 9, 10, 11, 12, 13, 14, 15, 16, 17

were read on this motion to/for ALTERNATE SERVICE.

Upon the foregoing documents, it is ORDERED that the motion is granted, without opposition, for the reasons set forth in the moving papers (NYSCEF Doc. Nos. 9, 15) and the exhibits attached thereto, in which the court concurs, as summarized herein. The affirmation of plaintiff's counsel offered in support of the motion details plaintiff's efforts to serve defendant Austin C. Smith, and defendants' apparent efforts to evade service. Accordingly, plaintiff has satisfied the requirements of CPLR 308(5) based on plaintiff's showing that other methods of service are impracticable (*Alfred E. Mann Living Tr. v ETIRC Aviation S.a.r.l.*, 78 AD3d 137, 141-42 [1st Dept 2010]), and plaintiff is permitted to serve defendant by email and regular mail as set forth below; and it is further

ORDERED that the summons and complaint and other commencement documents may be served on defendant Austin C. Smith by email at [austin@acsmithlawgroup.com](mailto:austin@acsmithlawgroup.com) and by regular mail to 99 Wall Street, #426, New York, New York 10005-4301, which the court notes is defendant's attorney address registered with the Office of Court Administration; and it is further

ORDERED that this Order is in no way determinative of the tolling of the statute of limitations or other issues of repose, should such issues arise.

This constitutes the decision and order of the court.

8/23/2023

DATE

CHECK ONE:

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CASE DISPOSED

☒

NON-FINAL DISPOSITION

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GRANTED

☐ DENIED

☐

GRANTED IN PART

☐ OTHER

☐

SETTLE ORDER

☐

SUBMIT ORDER

☐

FIDUCIARY APPOINTMENT

☐

REFERENCE

CHECK IF APPROPRIATE:

☐

INCLUDES TRANSFER/REASSIGN



LOUIS L. NOCK, J.S.C.